

**United States District Court**

EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

**FILED**  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
FEB - 1 2006  
DAVID J. MALAND, CLERK  
DEPUTY

DEAN G. TAPIA

§

§

V.

§

§

Commissioner of Social  
Security Administration

§

§

CASE NO. 4:05cv262  
(Judge Schell/Judge Bush)

**MEMORANDUM ADOPTING REPORT AND RECOMMENDATION**  
**OF UNITED STATES MAGISTRATE JUDGE**

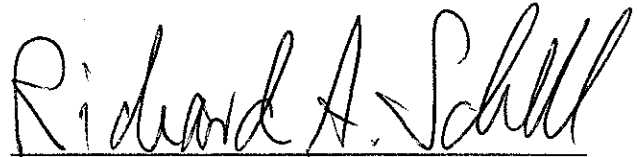
Came on for consideration the Report of the United States Magistrate Judge in this action for judicial review of the administrative denial of Social Security Disability Insurance Benefits and Supplemental Security Income, this matter having been heretofore referred to United States Magistrate Judge Don D. Bush pursuant to 28 U.S.C. § 636. On January 10, 2006, the Magistrate Judge entered a report containing his proposed findings of fact and recommendations that the decision of the commissioner should be affirmed. On January 25, 2006, Plaintiff filed his objections to the Report.

Having made a *de novo* review of the objections raised by Plaintiff thereto, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and the objections of Plaintiff are without merit. Therefore, the Court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of this Court.

It is, therefore, **ORDERED, ADJUDGED** and **DECREED** that the decision of the

Administrative Law Judge shall be and is hereby **AFFIRMED**. All motions by either party not previously ruled on are hereby **DENIED**.

**SIGNED** this 31<sup>st</sup> day of January, 2006.

A handwritten signature in cursive script, reading "Richard A. Schell". The signature is written in black ink and is positioned above a horizontal line.

RICHARD A. SCHELL  
UNITED STATES DISTRICT JUDGE